

## The Honorable Benjamin H. Settle

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON AT TACOMA

JOHN DOE #1, an individual, JOHN DOE #2, an individual, and PROTECT MARRIAGE WASHINGTON,

**Plaintiffs.**

v.

SAM REED, in his official capacity as Secretary of State of Washington, BRENDA GALARZA, in her official capacity as Public Records Officer for the Secretary of State of Washington,

## Defendants.

No. 09-cv-05456-BHS

**WASHINGTON COALITION FOR  
OPEN GOVERNMENT'S MOTION  
FOR LEAVE TO FILE DOCUMENTS  
UNDER SEAL**

**NOTE ON MOTION CALENDAR:  
JUNE 29, 2011**

Pursuant to Local Rule 5(g), Washington Coalition for Open Government ("WCOG") hereby moves the Court for an order permitting WCOG to file under seal its Motion for Summary Judgment and the Declaration of Steven J. Dixson in Support of WCOG's Motion for Summary Judgment, and the attached Exhibits A-R.

WASHINGTON COALITION FOR OPEN  
GOVERNMENT'S MOTION FOR LEAVE  
TO FILE DOCUMENTS UNDER SEAL 1



## WITHERSPOON-KELLEY

Attorneys & Counselors

422 W. Riverside Avenue, Suite 1100 Spokane, Washington 99201-0300

The Court has previously ordered that the names of the John Doe Plaintiffs, and their witnesses brought forward to offer testimony during the discovery process, shall remain confidential at least until the date of trial or contrary order of the Court. (Dkt. 181). It is necessary for WCOG to identify these individuals in support of its Motion for Summary Judgment in this matter. Due to the size and depth of the testimony presented in the Motion and supporting Declaration, redaction is not feasible in this matter. Although WCOG does not believe the identity of the witnesses nor their testimony should be confidential, WCOG moves to file its Motion and supporting Declaration under seal in compliance with the Court's Order.

A proposed Order is submitted herewith.

DATED this 29th day of June, 2011.

## WITHERSPOON • KELLEY

/s/ Steven J. Dixson  
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**Counsel for Intervenor Washington Coalition for  
Open Government**

**CERTIFICATE OF SERVICE**

1. I, Steven J. Dixson, am a citizen of the United States and a resident of the State of Washington. I am over the age of 18 years and not a party to the within action. I am employed by the law firm of Witherspoon · Kelley, P.S., 422 W. Riverside Avenue, Suite 1100, Spokane, Washington.

2. On the 29th day of June, 2011, I caused to be served upon the parties via the CM/ECF filing system, the WASHINGTON COALITION FOR OPEN GOVERNMENT'S MOTION FOR LEAVE TO FILE DOCUMENTS UNDER SEAL, which system will send notification of such filing to the following:

Stephen Walter Pidgeon, Stephen.pidgeon@comcast.net  
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I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

/s/ Steven J. Dixson, WSBA #38101  
Steven J. Dixson

**WASHINGTON COALITION FOR OPEN  
GOVERNMENT'S MOTION FOR LEAVE  
TO FILE DOCUMENTS UNDER SEAL 3**



**WITHERSPOON·KELLEY**  
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